



### DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **TARGETING OF GENETIC VACCINE VECTORS** the specification of which \_\_\_ is attached hereto or X was filed on February 10, 1999 as Application No. 09/247,886 and was amended on \_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

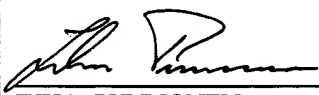
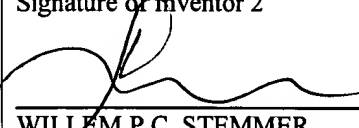
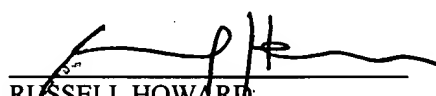
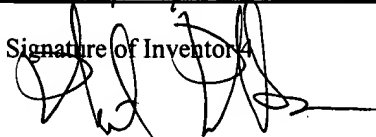
Application No.	Filing Date
60/074,294	February 11, 1998

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

Full Name of Inventor 1:	Last Name: <b>PUNNONEN</b>	First Name: <b>JUHA</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>Palo Alto</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>Finland</b>	
Post Office Address:	Post Office Address: <b>4290 Wilkie Way, #P</b>	City: <b>Palo Alto</b>	State/Country: <b>California</b>	Postal Code: <b>94306</b>
Full Name of Inventor 2:	Last Name: <b>STEMMER</b>	First Name: <b>WILLEM</b>	Middle Name or Initial: <b>P.C.</b>	
Residence & Citizenship:	City: <b>Los Gatos</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>The Netherlands</b>	
Post Office Address:	Post Office Address: <b>108 Kathy Court</b>	City: <b>Los Gatos</b>	State/Country: <b>California</b>	Postal Code: <b>95030</b>
Full Name of Inventor 3:	Last Name: <b>HOWARD</b>	First Name: <b>RUSSELL</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>Los Altos Hills</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>Australia</b>	
Post Office Address:	Post Office Address: <i>Viscaino</i> <b>12700 Viscayne Road</b> <i>ref</i>	City: <b>Los Altos Hills</b>	State/Country: <b>California</b>	Postal Code: <b>94022</b>
Full Name of Inventor 4:	Last Name: <b>PATTEN</b>	First Name: <b>PHILLIP</b>	Middle Name or Initial: <b>A.</b>	
Residence & Citizenship:	City: <b>Menlo Park</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>261 La Cuesta Drive</b>	City: <b>Menlo Park</b>	State/Country: <b>California</b>	Postal Code: <b>94028</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  JUHA PUNNONEN	Signature of Inventor 2  WILLEM P.C. STEMMER	Signature of Inventor 3  RUSSELL HOWARD
Date <b>3/31/99</b>	Date <b>3-29-99</b>	Date <b>3-30-99</b>
Signature of Inventor 4  PHILLIP A. PATTEN	Signature of Inventor 5 _____	Signature of Inventor 6 _____
Date <b>3-31-99</b>	Date _____	Date _____



Attorney Docket No. 18097-0302-00

D106.005

### POWER OF ATTORNEY BY ASSIGNEE

Maxygen, Inc. is the Assignee of the invention entitled: TARGETING OF GENETIC VACCINE VECTORS, the specification of which \_\_\_\_\_ is attached hereto or X was filed on February 10, 1999 as Application Serial No. 09/247,886.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**William M. Smith, Reg. No. 30,223**  
**Timothy L. Smith, Reg. No. 35,367**  
**Randolph T. Apple, Reg. No. 36,429**  
**Joe Liebeschuetz, Reg. No. 37,505**  
**Norman J. Kruse, Reg. No. 35,235**

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Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, CA 94111-3834

Direct Telephone Calls to:  
(Name, reg. no., tele. no.)

Timothy L. Smith  
Reg. No.: 35,367  
(415) 576-0200

**Maxygen, Inc.**

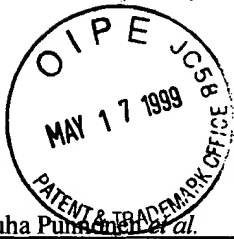
Date: X 4-1-99

By: + [Signature]  
(Signature)

Name: X Russell J. Howard  
Title: X President & CEO

SF 150969 v1  
TLS/ mcd; DOC ID 205788

v1



Attorney Docket No. 18097-030200US

Client Ref. No. 0106.005

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Applicant: Juha Purnanen et al.

Application No.: 09/247,886

Filed: February 10, 1999

For: TARGETING OF GENETIC VACCINE VECTORS

Maxygen, Inc., a Delaware corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: x 4-1-99

Name: x Russell J. Howard

Title: x President & CEO

Signature: x [Signature]

SF 150638 v1/DOC ID 205791

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, **Juha Punnonen**, a citizen of Finland residing at 4290 Wilkie Way, #P, Palo Alto, California 94306; **Willem P.C. Stemmer**, a citizen of The Netherlands residing at 108 Kathy Court, Los Gatos, California; **Russell Howard**, a citizen of Australia residing at 12700 Viscayno Road, Los Altos Hills, California 94022; and **Phillip A. Patten**, a citizen of the U.S.A. residing at 261 La Cuesta Drive, Menlo Park, California 94028, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: TARGETING OF GENETIC VACCINE VECTORS

Date(s) of execution of Declaration: \_\_\_\_\_

Filing Date: February 10, 1999

Application No.: 09/247,886; and

WHEREAS, **Maxygen, Inc.**, a Delaware corporation, located at 515 Galveston Drive, Redwood City, California 94063, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

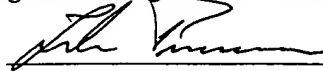
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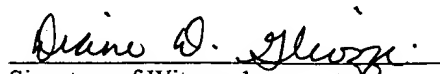
IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 3/31/99

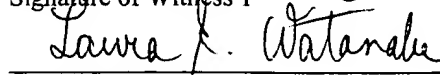
  
Juha Punnonen

SIGNATURE WITNESSED BY:


(1) Date: 3/31/99

  
Signature of Witness 1

(2) Date: 3/31/99

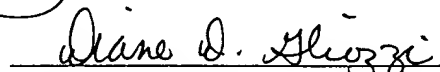
  
Signature of Witness 2

Dated: 3-29-99

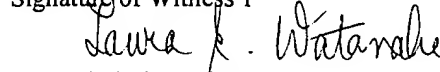
  
Willem P.C. Stemmer

SIGNATURE WITNESSED BY:

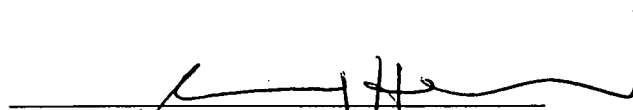
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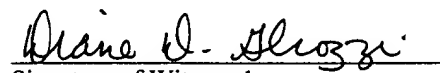
  
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Dated: 3-30-99

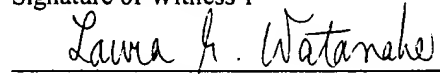
  
Russell Howard

SIGNATURE WITNESSED BY:

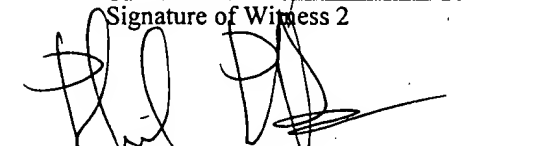
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Signature of Witness 1

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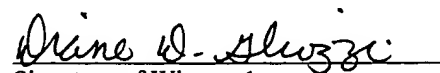
  
Signature of Witness 2

Dated: 3-31-99


  
Phillip A. Patten

SIGNATURE WITNESSED BY:

(1) Date: 3/31/99

  
Signature of Witness 1

(2) Date: 3/31/99

  
Signature of Witness 2